

INITIATIVE 603

I, Ralph Munro, Secretary of State of the State of Washington and custodian of its seal, hereby certify that the attached is a true and correct copy of Initiative Measure No. 603 to the People as it was received by this office.

1 AN ACT Relating to driver's licenses; amending RCW 46.20.031,
2 46.20.100, 46.20.181, and 13.40.265; and adding a new section to
3 chapter 46.20 RCW.

4 BE IT ENACTED BY THE PEOPLE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 46.20 RCW
6 to read as follows:

7 (1) A person entering, or of an age qualified to enter, the ninth
8 grade of school after September 1, 1993, is eligible to receive only a
9 conditional driver's license until reaching the age of eighteen years.

10 (2) To receive a conditional license, a person must be at least
11 sixteen years old, meet all other requirements for driver's licensing
12 under this chapter, and have a cumulative grade-point average of at
13 least 3.0 on a 4.0 scale as of the most recent grade report issued by
14 the applicant's secondary school.

15 (3) A conditional license is valid for a period of one year from
16 its date of issuance and may be renewed for one more year if the
17 applicant has achieved a grade-point average of at least 3.0 for the
18 previous year.

(4) The fee for a conditional license is four dollars per year, which includes the fee for the required photograph, but does not include the examination fee.

(5) The department may revoke a conditional license upon receiving notification under RCW 13.40.265 that the licensee has committed an offense that would constitute a misdemeanor or felony if the licensee were eighteen years old.

Sec. 2. RCW 46.20.031 and 1985 c 101 s 1 are each amended to read as follows:

The department shall not issue a driver's license hereunder:

(1) To any person who is under the age of sixteen years;

(2) To a person under the age of eighteen years who is limited to a conditional license under section 1 of this act;

(3) To a person who has not successfully completed a traffic safety education course meeting the requirements of RCW 46.20.100;

(4) To any person whose license has been suspended during such suspension, nor to any person whose license has been revoked, except as provided in RCW 46.20.311;

~~((+3))~~ (5) To any person when the department has been notified by a court that such person has violated his written promise to appear in court, unless the department has received a certificate from the court in which such person promised to appear, showing that the case has been adjudicated. The deposit of bail by a person charged with a violation of any law regulating the operation of motor vehicles on highways shall be deemed an appearance in court for the purpose of this section;

~~((+4))~~ (6) To any person who has been evaluated by a program approved by the department of social and health services as being an alcoholic, drug addict, alcohol abuser and/or drug abuser: PROVIDED, That a license may be issued if the department determines that such person has been granted a deferred prosecution, pursuant to chapter 10.05 RCW, or is satisfactorily participating in or has successfully completed an alcohol or drug abuse treatment program approved by the department of social and health services and has established control of his or her alcohol and/or drug abuse problem;

~~((+5))~~ (7) To any person who has previously been adjudged to be mentally ill or insane, or to be incompetent due to any mental disability or disease, and who has not at the time of application been restored to competency by the methods provided by law: PROVIDED,

1 HOWEVER, That no person so adjudged shall be denied a license for such
2 cause if the superior court should find him able to operate a motor
3 vehicle with safety upon the highways during such incompetency;

4 ~~((+6+))~~ (8) To any person who is required by this chapter to take
5 an examination, unless such person shall have successfully passed such
6 examination;

7 ~~((+7+))~~ (9) To any person who is required under the laws of this
8 state to deposit proof of financial responsibility and who has not
9 deposited such proof;

10 ~~((+8+))~~ (10) To any person when the department has good and
11 substantial evidence to reasonably conclude that such person by reason
12 of physical or mental disability would not be able to operate a motor
13 vehicle with safety upon the highways; subject to review by a court of
14 competent jurisdiction.

15 **Sec. 3.** RCW 46.20.100 and 1990 c 250 s 36 are each amended to read
16 as follows:

17 The department of licensing shall not consider an application of
18 any minor under the age of eighteen years for a driver's license or the
19 issuance of a motorcycle endorsement for a particular category unless:

20 (1) The application is also signed by a parent or guardian having
21 the custody of such minor, or in the event a minor under the age of
22 eighteen has no father, mother, or guardian, then a driver's license
23 shall not be issued to the minor unless his or her application is also
24 signed by the minor's employer; ~~((and))~~

25 (2) An applicant limited to a conditional license under section 1
26 of this act produces proof satisfactory to the department of having
27 achieved a cumulative grade-point average of at least 3.0 on a 4.0
28 scale for the most recent grade report issued by the applicant's
29 secondary school; and

30 (3) The applicant has satisfactorily completed a traffic safety
31 education course as defined in RCW 28A.220.020, conducted by a
32 recognized secondary school, that meets the standards established by
33 the office of the state superintendent of public instruction or the
34 applicant has satisfactorily completed a traffic safety education
35 course, conducted by a commercial driving instruction enterprise, that
36 meets the standards established by the office of the superintendent of
37 public instruction and is officially approved by that office on an
38 annual basis: PROVIDED, HOWEVER, That the director may upon a showing

1 that an applicant was unable to take or complete a driver education
2 course waive that requirement if the applicant shows to the
3 satisfaction of the department that a need exists for the applicant to
4 operate a motor vehicle and he or she has the ability to operate a
5 motor vehicle in such a manner as not to jeopardize the safety of
6 persons or property, under rules to be promulgated by the department in
7 concert with the supervisor of the traffic safety education section,
8 office of the superintendent of public instruction. For a person under
9 the age of eighteen years to obtain a motorcycle endorsement, he or she
10 must successfully complete a motorcycle safety education course that
11 meets the standards established by the department of licensing.

12 The department may waive any education requirement under this
13 subsection for an applicant previously licensed to drive a motor
14 vehicle or motorcycle outside this state if the applicant provides
15 proof satisfactory to the department that he or she has had education
16 equivalent to that required under this subsection.

17 **Sec. 4.** RCW 46.20.181 and 1990 c 250 s 41 are each amended to read
18 as follows:

19 Except as provided in section 1 of this act, every driver's license
20 expires on the fourth anniversary of the licensee's birthdate following
21 the issuance of the license. Every such license is renewable on or
22 before its expiration upon application prescribed by the department and
23 the payment of a fee of fourteen dollars. This fee includes the fee
24 for the required photograph.

25 **Sec. 5.** RCW 13.40.265 and 1989 c 271 s 116 are each amended to
26 read as follows:

27 (1)(a) If a juvenile thirteen years of age or older is found by
28 juvenile court to have committed an offense that is a violation of
29 chapter 66.44, 69.41, 69.50, or 69.52 RCW or would be a misdemeanor or
30 a felony if the juvenile were eighteen years old, the court shall
31 notify the department of licensing within twenty-four hours after entry
32 of the judgment.

33 (b) Except as otherwise provided in (c) of this subsection, upon
34 petition of a juvenile who has been found by the court to have
35 committed an offense that is a violation of chapter 66.44, 69.41,
36 69.50, or 69.52 RCW, the court may at any time the court deems

1 appropriate notify the department of licensing that the juvenile's
2 driving privileges should be reinstated.

3 (c) If the offense is the juvenile's first violation of chapter
4 66.44, 69.41, 69.50, or 69.52 RCW, the juvenile may not petition the
5 court for reinstatement of the juvenile's privilege to drive revoked
6 pursuant to RCW 46.20.265 until ninety days after the date the juvenile
7 turns sixteen or ninety days after the judgment was entered, whichever
8 is later. If the offense is the juvenile's second or subsequent
9 violation of chapter 66.44, 69.41, 69.50, or 69.52 RCW, the juvenile
10 may not petition the court for reinstatement of the juvenile's
11 privilege to drive revoked pursuant to RCW 46.20.265 until the date the
12 juvenile turns seventeen or one year after the date judgment was
13 entered, whichever is later.

14 (2)(a) If a juvenile enters into a diversion agreement with a
15 diversion unit pursuant to RCW 13.40.080 concerning an offense that is
16 a violation of chapter 66.44, 69.41, 69.50, or 69.52 RCW, the diversion
17 unit shall notify the department of licensing within twenty-four hours
18 after the diversion agreement is signed.

19 (b) If a diversion unit has notified the department pursuant to (a)
20 of this subsection, the diversion unit shall notify the department of
21 licensing when the juvenile has completed the agreement.

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